



2020:JHHC:27256-DB

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 835 of 2018

.....
Union of India through its Regional
Provident Fund Commissioner, Ranchi. --- ---- Petitioner
Versus
Dinesh Kumar Pandey & Ors. ----- Respondents

CORAM: The Hon'ble Mr. Justice Aparesh Kumar Singh
The Hon'ble Mr. Justice Ratnaker Bhengra

For the Petitioner : Mrs. Banani Verma, Adv.
For the Respondents :

04/26.03.2018 Learned counsel for the petitioner, while laying challenge to the impugned order passed by the learned Central Administrative Tribunal, submits that the Central Administrative Tribunal has misconstrued the order of the disciplinary authority so far as it relates to the imposition of penalty. Recovery of the loss caused to the organization is independent of the penalty to be imposed in case of finding of guilt on a misconduct. Reliance has been placed on Rule-9 of the CCS (Pension) Rules at Annexure-15.

Issue notice on the respondent no.1 under registered cover with A/D for which requisites be filed within one week, failing which this petition, as against the respondent no.1, shall stand rejected without further reference to a Bench.

In the meantime, operation of the impugned order dated 24th April 2017 passed by learned Central Administrative Tribunal, Circuit Bench, Ranchi in O.A. No.051/00246/2015 shall remain stayed.

(Aparesh Kumar Singh, J.)

(Ratnaker Bhengra, J.)

Shamim/